

# EXHIBIT 5

**IN THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN DISTRICT  
OF TEXAS MARSHALL DIVISION**

SEMCON IP INC.,  Plaintiff,  v.  HUAWEI DEVICE USA INC., ET AL.,  Defendants.	Civil Action No. 2:16-cv-00437  (LEAD CASE)  Jury Trial Demanded
SEMCON IP INC.,  Plaintiff,  v.  MEDIATEK INC., ET AL.,  Defendants.	Civil Action No. 2:16-cv-00438  (CONSOLIDATED CASE)  Jury Trial Demanded
SEMCON IP INC.,  Plaintiff,  v.  STMICROELECTRONICS, INC.,  Defendant.	Civil Action No. 2:16-cv-00439  (CONSOLIDATED CASE)  Jury Trial Demanded
SEMCON IP INC.,  Plaintiff  v.  TEXAS INSTRUMENTS INCORPORATED,  Defendant.	Civil Action No. 2:16-cv-00440  (CONSOLIDATED CASE)  Jury Trial Demanded

SEMCON IP INC.,	
Plaintiff,	Civil Action No. 2:16-cv-00441
v.	(CONSOLIDATED CASE)
ZTE (USA), INC. ET AL.,	Jury Trial Demanded
Defendants.	

**NOTICE OF SUBPOENA TO AMAZON.COM, INC.**

**PLEASE TAKE NOTICE** that, pursuant to Federal Rules of Civil Procedure Rules 26, 30, 34, and 45, Plaintiff Semcon IP Inc. will serve the attached deposition and document subpoenas upon non-party **AMAZON.COM, INC.**

**PLEASE TAKE FURTHER NOTICE** that the above-listed third party is to produce the documents, electronically-stored information and/or other tangible things specified in Attachment A. Said production shall take place at 9:00 AM on July 31, 2017, or fourteen (14) days from service of the document subpoena if served after July 17, 2017, at DTI c/o ProMotions Holding - Seattle, WA, 2200 Sixth Avenue, Suite 425, Seattle, WA 98121.

**PLEASE TAKE FURTHER NOTICE** that the above-listed third party is to appear to testify at a deposition on the topics specified in Attachment A to the Deposition Subpoena. Said deposition shall take place at 9:30 a.m. on August 4, 2016, at DTI c/o ProMotions Holding - Seattle, WA, 2200 Sixth Avenue, Suite 425, Seattle, WA 98121, or at such other date, time, and place as mutually agreed between counsel for Plaintiff and **AMAZON.COM, INC.** Said deposition shall continue from day-to-day until completion, shall be recorded by video, sound, and/or stenographic means and shall be before a Notary Public or other individual qualified to administer oaths.

Dated: July 17, 2017

**BROWN RUDNICK LLP,**

/s/ Alessandra C. Messing

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**ATTORNEYS FOR PLAINTIFF  
SEMCON IP INC.**

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

## UNITED STATES DISTRICT COURT

for the

EASTERN District of TEXAS  
MARSHALL DIVISION

SEMCON IP INC.,

*Plaintiff*

v.

HUAWEI DEVICE USA, INC., ET AL.,

*Defendant*

Civil Action No. 2:16-cv-00437-JRG-RSP (LEAD CASE)

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

Amazon.com, Inc., 535 Terry Avenue North, Seattle, WA 98109

To: c/o Corporation Service Company, 300 Deschutes Way SW, Suite 304, Tumwater, WA 98501-0000

(Name of person to whom this subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

SEE ATTACHMENT A ANNEXED HERETO.

Place: DTI c/o ProMotions Holding - Seattle, WA 2200 Sixth Avenue, Suite 425 Seattle, WA 98121	Date and Time: August 4, 2017 at 9:30 A.M.
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The deposition will be recorded by this method: Stenographically, audiotaped, and videotaped.

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: July 17, 2017

CLERK OF COURT

OR



Signature of Clerk or Deputy Clerk

Attorney's signature  
Alessandra C. Messing

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Plaintiff, SEMCON IP INC., who issues or requests this subpoena, are:

BROWN RUDNICK LLP by Alessandra C. Messing, Seven Times Square, New York, New York 10036, Telephone (212)209-4800

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

for the  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

HUAWEI DEVICE USA, INC., ET AL.,  
Defendant

American LegalNet, Inc.  
[www.FormsWorkFlow.com](http://www.FormsWorkFlow.com)